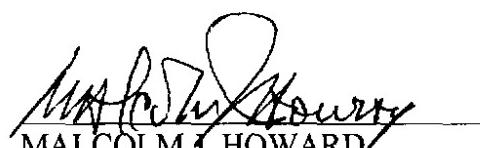


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:07-HC-2143-H

ALBERT WILLIAMS,)
Petitioner,)
v.) **ORDER**
W. ELAINE CHAPMAN,)
Respondent.)

This matter is before the court on Petitioner's motion to substitute a party pursuant to Rule 25(d). However, Petitioner's petition for a writ of habeas corpus was denied by order of this court on February 19, 2008 and the case is closed. The United States Court of Appeals for the Fourth Circuit affirmed this court's decision on August 27, 2008 and mandate has been stayed pending disposition of a petition for a panel and/or en banc rehearing. Therefore, Petitioner should file his motion to substitute a party in the Fourth Circuit pursuant to Fed. R. App. P. 43(c)(2). Accordingly, Petitioner's motion to substitute a party is DENIED.

SO ORDERED this 2nd day of October 2008.


MALCOLM J. HOWARD
Senior United States District Judge

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